

CALIFORNIA PARTNERSHIP FOR THE SAN JOAQUIN VALLEY

**Request for Proposal
for
SECRETARIAT AND WORK GROUP
STAFFING SERVICES
2006**

State of California
Business, Transportation and Housing Agency

Release Date: September 25, 2006

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER
Governor

Department of Alcoholic Beverage Control
Department of Corporations
Department of Financial Institutions
California Highway Patrol
California Housing Finance Agency
Commerce & Economic Development Program
Department of Housing & Community Development
Department of Managed Health Care



SUNNE WRIGHT McPEAK
Secretary

Department of Motor Vehicles
Office of the Patient Advocate
Department of Real Estate
Office of Real Estate Appraisers
Office of Traffic Safety
Department of Transportation
Office of Military and Aerospace Support

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

REQUEST FOR PROPOSAL – Secondary Notice to Prospective Proposers

September 25, 2006

TO ALL PROSPECTIVE BIDDERS:

The attached Request for Proposal (RFP) solicits Secretariat and Work Group staffing services for a three-year term in support of the California Partnership for the San Joaquin Valley (Partnership) to support, assist and facilitate the Partnership Board in implementing the Strategic Action Proposal for a period of time beginning no later than January 1, 2007 and ending no later than June 30, 2009.

In submitting your proposal, you must comply with these instructions. Note that all agreements entered into with the State of California will include by reference General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at Internet site www.ols.dgs.ca.gov/standard+language. If you do not have Internet access, a hard copy can be provided by contacting the person listed below.

In the opinion of the Business, Transportation and Housing Agency, this RFP is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, the contact person for this RFP is:

Karin Fish
Business, Transportation and Housing Agency
California Partnership for the San Joaquin Valley
980 9th Street, Suite 2450
Sacramento, CA 95814

Please note that no *verbal* information given will be binding upon the State unless such information is issued in writing as an official addendum.

Respectfully,

KARIN FISH
Principal Fiscal and Administrative Officer
Business, Transportation and Housing Agency

CALIFORNIA PARTNERSHIP FOR THE SAN JOAQUIN VALLEY

Request for Proposal for Secretariat and Work Group Staffing Services 2006

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SECTION I: INTRODUCTION

The California Partnership for the San Joaquin Valley (Partnership) within the Business, Transportation and Housing Agency (BTH) requests proposals for the following purpose and in accordance with each of the terms and conditions in this Request for Proposal. The proposals will be evaluated by a committee within the Partnership Board and scored according to responsiveness, as presented in Section VI, Selection Process and Evaluation Criteria.

A. Purpose and Description of Service

The purpose of this Request for Proposals (RFP) is to obtain proposals from qualified applicants to provide Secretariat and Work Group staffing services to the California Partnership for the San Joaquin Valley to support, assist and facilitate the Partnership in implementing the Strategic Action Proposal for a period of time beginning no later than January 1, 2007, or upon execution of the agreement and ending no later than June 30, 2009.

This RFP delineates specific functions, services and deliverables that must be provided by the selected applicant(s), but applicants are encouraged to be innovative in proposed approaches and arrangements among and between participants (individuals and organizations) in the proposals. The Partnership invites creative and cost-effective proposals to providing the secretariat and work group staffing services and producing the deliverables.

The following sections summarize the background information about the Partnership and set forth the requirements of the responses to the RFP. Applicants should become very familiar with the work products of the Partnership and the content of the Draft Strategic Action Proposal, titled *San Joaquin Valley—California's 21st Century Opportunity*, which are available online at the Business, Transportation and Housing Agency (BTH) website: www.bth.ca.gov

B. Availability of Funding

The Governor and Legislature approved a one-time appropriation of \$5 million in the State Budget for Fiscal Year 2006-2007 for the California Partnership for the San Joaquin Valley for implementation of the Strategic Action Proposal. Thus, the funding and all expenditures are subject to completion and submission of the Strategic Action Proposal, which is due to the Governor by October 31, 2006. At the request of the Legislature, the Partnership Board developed and approved the following working budget for use of the \$5 million:

\$5 Million in Fiscal-Year 2006-2007 State Budget

- 1.7 Management Personnel and Consultants
 - .1 Community Outreach
 - .2 Communications (including multi-language materials)
 - .3 Annual Progress Reports for Accountability
 - .2 Regional Conferences for Periodic Reporting and Mobilization of Volunteers
- 2.5 Seed Grants to Implement Strategic Action Proposal

The \$1.7 million specified above for Management Personnel and Consultants will be used to engage contracted professional support for the Secretariat function and staffing services to coordinate the meetings and deliberations of the Partnership Board and to staff Work Groups (or their successor committees) in implementing the Strategic Action Proposal. The Secretariat function management also will oversee or directly provide services related to community outreach, communications, annual progress reports, and annual regional conferences. Thus, there could be one or more contracts to carry out these functions in implementing the Strategic Action Proposal, depending on the responses to the RFP. In addition, the budget appropriation provided that the \$1.7 million also may be used to support up to two fixed-term positions at BTH to develop and manage the initial RFP invitation and contract process. It is the current intent of BTH to use one position which will cost approximately \$180,000 during the term of the contracts.

It is important for proposers to define in the proposals to be submitted what services will be provided i.e. only the secretariat function, the Secretariat and one or all of the Work Group staffing or only a portion or all of the Work Groups. In addition, to clearly define the costs for each using the breakdown of funding displayed above.

SECTION I: INTRODUCTION (Continued)

Additionally, the approved funding in the State Budget includes \$2.5 million for seed grants up to \$250,000 each to begin implementation of the Strategic Action Proposal. It is envisioned that potentially there will be multiple applicants for a wide variety of projects. The RFP for the seed grants will be submitted to the Partnership Board for approval at the October 26-27, 2006 meeting in Fresno. It is intended that the RFP will be released by November 1, 2006 and initial proposals will be due December 31, 2006 with a second proposal due date set later (such as end of February or March 2007), allowing a phased decision-making approach to award of seed grants. As with this RFP, for the seed grants RFP, the Partnership Board will reserve the right to reject all proposals, award no contracts. Contract administration will be provided by BTH. However, the Secretariat and Work Group staffing contractor(s) will be involved in evaluation of effectiveness of impact of the seed grants and performance of the contractors in the annual reports.

All of the \$5 million in the FY 2006-2007 State Budget must be encumbered by June 30, 2007.

C. Tentative Schedule

This tentative schedule may be altered at any time at the discretion of the Partnership. All dates and times stated in this RFP are Pacific Daylight Savings Time.

Proposals must be received by 5:00 PM, Monday, October 23, 2006, at the Business, Transportation and Housing Agency, 980 9th Street, Suite 2450, Sacramento, California 95814, attention to Ms. Karin Fish, Chief Fiscal and Administrative Officer. Applicants must submit 15 hard copies of proposals along with an electronic file copy to kfish@bth.ca.gov.

Questions regarding this RFP must be submitted in writing or by email to Ms. Fish and all responses will be posted online as well as provided to the inquirer.

DESCRIPTION	DAY	DATE IN 2006	TIME
1. Proposal Package Released and Mailed Out	Monday	September 25	
2. Bidders' Conference (Optional)* (RSVP appreciated no later than 3 days before the conference)	Friday	October 6	At 10:00 A.M.
3. Proposers' Written Questions Due	Tuesday	October 10	By 5:00 P.M.
4. Submittal of Notice of Intent to Bid Due	Tuesday	October 10	By 5:00 P.M.
5. Questions and Answer Summary to be mailed to potential proposers on or near	Thursday	October 12	
6. Proposal Due Date	Monday	October 23	By 5:00 P.M.
7. Cost Proposal Opening	Tuesday	October 24	
8. Evaluation by Scoring Committee	Wednesday	October 25	
9. Oral Interviews (If determined to be necessary)	Thursday	October 26	
10. Agency Awards Contract and Posts Public Notice of Intent to Award (allows for five-day protest period)		November 3 - 10	
12. Contract(s) in place when fully executed	Friday	December 15	

SECTION I: INTRODUCTION (Continued)

- * Bidders' Conference (Optional): Proposers are not required to attend the Bidders' Conference to submit a bid; attendance is optional. A Questions and Answer Summary developed from questions submitted in a written format either at the Bidders' Conference or other means will be distributed to all organizations that submit a Notice of Intent to Bid. The Questions and Answer Summary may not include discussion details occurring at the Bidders' Conference in response to presented questions. Discussion details may influence the bid.

D. Duration

The contract between BTH and the successful proposer(s) is expected to begin upon the date of contract approval by the California Department of General Services and terminate on June 30, 2009.

E. Fee

The total amount available to support the secretariat function and work group staffing services is \$1.51 million. The total amount available for the Community Outreach, Annual Progress Reports for Accountability, Regional Conferences for Periodic Reporting and Mobilization of Volunteers is \$800,000. Services shall be rendered for the fiscal years of: 2006/07 (partial), 2007/08, and 2008/09.

F. Definition of Terms

This RFP contains the following terms, definitions and acronyms that have the following definitions:

1. **"Agency," "BTH," and "State"** means the California Business, Transportation and Housing Agency, an Agency duly elected or appointed, qualified and acting on behalf of the State of California for this RFP.
2. **"DGS"** means the State of California Department of General Services.
3. **"Material Deviations"** means a deviation from a requirement that is deficient if the response is not in substantial accord with the RFP requirements, provides an advantage to one proposer over other proposers, or has a potentially significant effect on the delivery, quantity or quality of items proposed, amount paid to the vendor, or on the cost to the Agency. Material deviations cannot be waived.
5. **"Partnership"** means the California Partnership for the San Joaquin Valley.
6. **"Proposer"** and **"Bidder"** (capitalized or lower case, singular or plural) means an organization responding to this RFP.
7. **"RFP"** means this Request for Proposal for Secretariat and Work Group Staffing 2006.
8. **"Shall," "must," or "will"** (except to indicate future tense) indicates a mandatory requirement in the RFP.
9. **"Should" or "may"** indicates desirable attributes or conditions, but are non-mandatory in nature. Deviation from, or omission of, such a desirable feature, even if material, will not in itself cause rejection of the proposal.
10. **"Subcontractors"** means any party which the proposer wishes the Partnership to include in its evaluation of the proposer's qualifications and capability must be labeled as a "partner" or "major subcontractor" (terms of similar nature are acceptable). All subcontractors are subject to the approval of the Partnership.
 - a. Major subcontractors or partners are defined as businesses owned at least 51% by interests other than the proposer, and which will carry out major, critical portions of the Section IV, Scope of Work, in terms of responsibility, involvement and, in some instances, portions of the budget. These may be firms providing services or supplies. Major subcontractors operate under the direction of the proposer.
 - b. Minor subcontractors are defined as businesses executing less critical, less sensitive portions of Section IV, Scope of Work.

SECTION II: BACKGROUND INFORMATION

A. California Business, Transportation and Housing Agency

The Business, Transportation and Housing Agency is part of the Executive Branch of California government and its Secretary is a member of the Governor's cabinet. The Agency oversees the activities of thirteen departments and is among the largest agencies in the state with a collective budget of \$12.4 billion requiring a workforce of more than 42,000 people.

The Agency oversees programs that plan, build and maintain California's transportation systems that ensure efficient and fair markets for the real estate industry and programs that assist state and community efforts to expand the availability of affordable housing and employment opportunities through commerce and economic development programs for a growing population. The California Partnership for the San Joaquin Valley assists the Agency towards achieving its goals in these areas.

The Agency also regulates managed health care plans, banking and the financial and securities industries as well as contributes to public safety through the law enforcement activities of the California Highway Patrol and the Department of Alcoholic Beverage Control.

B. California Partnership for the San Joaquin Valley

Governor Arnold Schwarzenegger established the California Partnership for the San Joaquin Valley through Executive Order S-5-05 signed on June 24, 2005 in Fresno. The San Joaquin Valley region includes eight counties—Kern, Tulare, Kings, Fresno, Madera, Merced, Stanislaus and San Joaquin Counties—with sixty-two cities and a total population of more than 3.4 million residents.

The Board of the Partnership is comprised of twenty-six members appointed by the Governor—eight Cabinet Secretaries, eight locally-elected officials, eight civic leaders, and two Deputy Chairs (one elected official and one civic leader)—plus five liaisons to key policy bodies (Federal Interagency Task Force on the San Joaquin Valley, California Transportation Commission, California Air Resources Board, California Workforce Investment Board, and the Economic Strategy Panel). The Governor designated the Secretary of the Business, Transportation and Housing Agency as Chair of the Partnership and directed preparation and submission of a Strategic Action Proposal for long-term well-being and economic prosperity in the San Joaquin Valley to be prepared and submitted to the Governor by October 31, 2006. The Partnership Board has conducted extension outreach to obtain public input and to involve stakeholders in the development of the Strategic Action Proposal which will be submitted to the Governor on time.

The Partnership Board members were appointed in September 2005 and the first Board Meeting was held September 16th in Stockton at the University of the Pacific. At the first meeting, the Board adopted a Work Plan (including Principles and Ground Rules) and established ten Work Groups (along with Scopes of Work based on Overview Reports) to focus on: Economic Development; Higher Education and Workforce Development; K-12 Education; Transportation; Land Use, Agriculture and Housing; Air Quality; Water; Energy; Health and Human Services; and Advanced Communications Services and Information Technology.

The Strategic Action Proposal (including detailed Work Group Reports) sets forth overall strategies and specific actions with accompanying indicators to measure progress. It builds on the existing strengths of the San Joaquin Valley and addresses the current challenges to minimize weaknesses. It recognizes the Valley's heritage of agriculture as the foundation for economic development—as the roots to grow the future—and forges new frontiers for prosperity. It embraces and enhances the assets that define and unify the region—such as the San Joaquin River and Highway 99—as leading strategies to attract investment. It calls for a sustained public-private partnership over the next decade to mobilize the essential government and civic leadership to achieve measurable results. It proposes that the initial organizational structure for implementation (for up to the next two years) be established through a new Governor's Executive Order and that State legislation then be enacted to ensure commitment and continuity for the full decade.

SECTION III: RULES AND CONDITIONS

A. General Information

The competitive bidding process being used for this procurement of services is the secondary RFP method. All eligible proposals will be reviewed to determine which ones meet the format requirements specified. Those proposals that meet the format requirements shall then be submitted to the evaluation committee. The evaluation committee will evaluate and score the proposals using the scoring criteria specified in this RFP. The contract(s) will be awarded to the responsible proposer(s) whose proposal is given the highest score by the evaluation committee.

Proposers should carefully review the requirements of this RFP and instructions that prescribe the format of proposals as outlined in Section V, Minimum Qualifications.

The Partnership reserves the right to accept or reject any or all proposals received as a result of this RFP, or to modify or cancel all or part of this RFP if it is in the interest of the Partnership to do so.

B. Addenda

The Partnership reserves the right to amend, alter or change the rules and conditions contained in this RFP prior to the deadline for submission of proposals. Addenda will only be sent to those potential proposers who submitted a timely Notice of Intent to Bid (see Paragraph F of this Section). Subsequent addenda must be followed. Proposers may contact Karin Fish at 916-322-4071 to verify receipt of all addenda related to this RFP.

C. Proposers' Costs

Costs for developing proposals are entirely the responsibility of the proposers and shall not be reimbursed by the State.

D. Bidders' Conference

The Bidders' Conference is designed to clarify the requirements of this RFP by providing answers to potential proposers' questions. Questions pertaining to this RFP may be presented in writing to the Agency prior to the Bidders' Conference and/or during the Bidders' Conference. Advance questions should be submitted as indicated in Section I, Paragraph C, Tentative Schedule, and may be sent by mail, fax, or e-mail to the Agency at the location identified in Paragraph E of this Section. A team of Partnership representatives will be present at the Bidders' Conference to address the items in question.

The Bidders' Conference will take place at the following location as indicated in Section I, Paragraph C, Tentative Schedule, unless otherwise notified:

California Business Transportation and Housing Agency
980 Ninth Street, Suite 2450
Main Conference Room
Sacramento, CA 95814

The questions responded to during the Bidders' Conference will be included in the Questions and Answer Summary (see Paragraph G of this Section), which will be sent to those having submitted a timely Notice of Intent to Bid (see Paragraph F of this Section). Attendance to the Bidders' Conference is optional.

E. Written Questions

Proposers needing additional clarification (after the Bidders' Conference) of the requirements of this RFP must submit questions in writing. All inquiries must be received as indicated in Section I, Paragraph C, Tentative Schedule, regardless of postmark. If questions are faxed or e-mailed, then the date and time received by the Agency must not be later than this due date and time.

SECTION III: RULES AND CONDITIONS (Continued)

Address written questions to:

California Partnership for the San Joaquin Valley
RFP for Secretariat and Staffing Services 2006
Attn: Karin Fish
California Business, Transportation and Housing Agency
980 Ninth Street, Suite 2450
Sacramento, CA 95814

Fax: 916-322-4071 E-mail: kfish@bth.ca.gov

Questions, suggestions or objections regarding the content of the RFP not submitted in writing by the deadline as indicated in Section I, Paragraph C, Tentative Schedule, shall be deemed waived and may not be raised at a later time.

F. Notice of Intent to Bid

1. A Notice of Intent to Bid (Attachment 2) must be received by the Agency as indicated in Section I, Paragraph C, Tentative Schedule, regardless of postmark. The Notice of Intent to Bid may be faxed (confirmation receipt should be retained by the sender). The Notice of Intent to Bid shall not be e-mailed. If the Notice of Intent to Bid is faxed, then the date and time received by the Agency must not be later than the due date and time.
2. The Notice of Intent to Bid (Attachment I) shall be typed, completed in its entirety, and signed by an authorized representative of the proposing entity.
3. The Notice of Intent to Bid (Attachment I) shall be directed to the address identified in Paragraph E of this Section.
4. Proposals shall be accepted only from Proposers who submitted a timely Notice of Intent to Bid (Attachment 1.)
5. The Notice of Intent to Bid is non-binding, however, it ensures the receipt of any and all inquiries, responses and addenda related to this RFP. Any correspondence or addenda originating after Tuesday, October 10, 2006 by 5:00 P.M. will be mailed or faxed only to those potential proposers having submitted a timely Notice of Intent to Bid.

G. Questions and Answer Summary

A summary of all potential proposers' written questions and the Partnership's answers to those questions will be mailed as indicated in Section I, Paragraph C, Tentative Schedule, to only the proposers having submitted a timely Notice of Intent to Bid. As indicated in Paragraph D of this Section, the Questions and Answer Summary will also include the questions and answers from the Bidders' Conference.

Oral communications with State officers and employees shall be non-binding on the State and shall in no way exclude the proposers of obligations as set forth in this RFP.

SECTION III: RULES AND CONDITIONS (Continued)

H. Delivery of Proposals

Deliver in a sealed package(s), fifteen (15) typed copies of the proposal (one original signature and fourteen copies) to the agency at the address below as indicated in Section I, Paragraph C, Tentative Schedule. Proposals may not be faxed or e-mailed. Proposals cannot, by State law, be accepted after this time and date. The sealed package(s) containing the fifteen (15) proposals must be labeled as follows:

California Partnership for the San Joaquin Valley
RFP for Secretariat and Work group Services 2006

Attn: Karin Fish
California Business, Transportation and Housing Agency
980 Ninth Street, Suite 2450
Sacramento, CA 95814

Proposals cannot, by State law, be accepted after this time and date and will be returned, unopened. Proposals received within the prescribed deadline become the property of the Partnership and will not be returned.

All rights to the contents therein become those of the Partnership. Creative materials, if applicable, may be returned at the Partnership's discretion. The Proposer must submit a written request and be prepared to pay postage. No materials will be returned prior to an executed, approved contract.

I. Grounds for Rejection

The Partnership reserves the right to waive any immaterial deviation in a proposal; however, the waiver of an immaterial deviation in a proposal shall in no way modify the document or excuse the Proposer from full compliance with the proposal requirements after the Proposer is awarded the contract.

A proposal shall be rejected if:

1. The Proposer did not submit a Notice of Intent to Bid (Attachment 2) by the established deadline.
2. The proposal is received at any time after the exact time and date set for receipt of proposals (Public Contract Code, Section 10344[a]).
3. The Cover Sheet (Attachment 3) is unsigned.
4. The Proposer has been decertified from contracting with the State by the Department of Fair Employment and Housing.
5. The Proposer has received a substantive negative contract evaluation from the State of California.
6. The proposal contains false or misleading statements or references that do not support an attribute or condition contended by the Proposer; and if, in the opinion of the Partnership, such information was intended to erroneously mislead the Partnership in its evaluation of the proposal.
7. The proposal is marked confidential (excluding Proposer's financial statements), conditional, incomplete or if it contains any irregularities.
8. The Proposer has had a contract with the State of California canceled due to failure to comply with the Drug-Free Workplace Act of 1990 (see Paragraph N of this Section).

SECTION III: RULES AND CONDITIONS (Continued)

J. Notice of Intent to Award

1. Award of the contract, if it is awarded, shall be to the Proposer(s) obtaining the highest scores as outlined in Section V, Minimum Qualifications and the scoring phases as outlined in Section VI, Selection Process and Evaluation Criteria.
2. Upon selection of a proposed contractor, a Notice of Intent to Award will be posted for five (5) working days at the Agency; 980 Ninth Street, Suite 2450; Sacramento, CA. This 5-day period is known as the "protest period." Should a Proposer wish to protest the intended award, the protest must be filed during this protest period (see Paragraph K of this Section).
3. Proposals, cost data and evaluation forms will be regarded as public records after the contract is awarded under the California Public Records Act (Government Code, Section 6250 et seq.).
4. The Partnership reserves the right to modify or cancel in part or in its entirety the sample contract provisions if it is in the best interest of the Partnership to do so.
5. The Partnership reserves the right to not award a contract.

K. Protests

1. Only a Proposer that has submitted a timely proposal in response to this RFP and is not awarded the resulting contract may file a protest.
2. A Proposer who claims he/she would have been eligible for the award of the contract if the Partnership had scored his or her proposal correctly, or if the Partnership had correctly followed the procedures specified in the Public Contract Code, may file a protest.
3. If a Proposer chooses to protest the Notice of Intent to Award, the protesting Proposer shall file with the Agency and DGS within five (5) working days of the date the Notice of Intent to Award is posted (protest period), a full and complete written statement specifying the grounds for the protest (Public Contract Code, Sections 10345(b)(1)). All protests must be submitted to both of the following entities:

Karin Fish
California Business, Transportation and Housing Agency
Small Business Loan Guarantee Program
980 Ninth Street, Suite 2450
Sacramento, CA 95814

Protest Coordinator
California Department of General Services
Office of Legal Services
707 Third Street, 7th Floor
West Sacramento, CA 95605

4. There is no basis for protest if the Partnership rejects all proposals, based on the interests of the State.
5. If no protest is filed with the Agency within five (5) working days of the date the Notice of Intent to Award was posted, the contract shall be awarded to the proposed contractor.

L. Debriefings

Written debriefings of the evaluation results will not be provided to unsuccessful Proposers. Oral debriefings may be provided at the Agency's discretion.

SECTION III: RULES AND CONDITIONS (Continued)

M. Corporate Qualifications to do Business in California

1. In order to ensure all obligations due the State are fulfilled, when contracts are to be performed in the State by corporations, the Agency will obtain verification that the contractor is currently qualified to do business in California.
2. "Doing business" is defined in Revenue and Taxation Code, Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. While there are some statutory exceptions to taxation, it will be a rare instance when a corporate contractor performing within the State will not be subject to the franchise tax.
3. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Whether or not a corporation is in good standing may be determined by calling the Office of the Secretary of State, 916-657-5448 Ext. 140.
4. The Agency and contractors may obtain assistance in evaluating a claim of exemption from the Franchise Tax Board. Inquiries should be directed to the Exempt Organizations Unit desk, at 916-845-4171.

N. Drug Free Workplace Act of 1990

1. In submitting a bid to the Agency, the Proposer offers and agrees that if the bid is accepted, it will certify under penalty of perjury under the laws of the State of California that it will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code, Section 8350 et seq.) and will provide a drug-free workplace by:
 - a. Publishing a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code, Section 8355(a).
 - b. Establishing a Drug-Free Awareness Program as required by Government Code, Section 8355 (b), to inform employees about:
 - 1) The dangers of drug abuse in the workplace;
 - 2) The person's or organization's policy of maintaining a drug-free workplace;
 - 3) Any available counseling, rehabilitation and employee assistance programs;
 - 4) Penalties that may be imposed upon employees for drug abuse violations; and,
 - c. Providing, as required by Government Code, Section 8355 (C), that every employee who performs work under the agreement will:
 - 1) Receive a copy of the Contractor's drug-free policy statement; and,
 - 2) Agree to abide by the terms of the Contractor's statement as a condition of employment under this agreement.
2. Failure to comply with these requirements may result in suspension of payments under the agreement or cancellation of the agreement or both and the Contractor may be ineligible for award of any future state contracts if the State determines that the Contractor:

SECTION III: RULES AND CONDITIONS (Continued)

- a. Has made a false certification; or,
- b. Violates the certification by failing to carry out the requirements as noted above.

O. Antitrust Claims

1. In submitting a proposal to a public purchasing body, the proposer offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the proposer/proposer for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the proposer. (Government Code Section 4552.)
2. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. (Government Code Section 4553)
3. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. (Government Code Section 4554)

P. Conflict of Interest

1. Current State Employees (Public Contract Code Section 10410)
 - a. No officer or employee in the state civil service or other appointed state official shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or in which the officer or employee has a financial interest and which is sponsored or funded, or sponsored and funded, by any state agency or department through or by a state contract unless the employment, activity, or enterprise is required as a condition of the officer's or employee's regular state employment.
 - b. No officer or employee in the state civil service shall contract on his or her own individual behalf as an independent contractor with any state agency to provide services or goods.
2. Former State Employees (Public Contract Code Section 10411)
 - a. For the two-year period from the date he or she left State employment, no retired, dismissed, separated, or formerly employed person of any state agency or department employed under the state civil service or otherwise appointed to serve in state government may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency or department.
 - b. For a period of 12 months following the date of his or her retirement, dismissal, or separation from state service, no person employed under state civil service or otherwise appointed to serve in state government may enter into a contract with any state agency, if he or she was employed by that state agency in a policymaking position in the same general subject area as the proposed contract within the 12-month period prior to his or her retirement, dismissal, or separation. The prohibition of this subdivision shall not apply to a contract requiring the person's services as an expert witness in a civil case or to a contract for the continuation of an attorney's services on a matter with which he or she was involved prior to leaving state service.

SECTION III: RULES AND CONDITIONS (Continued)

Q. Preference Programs

1. California Government Code Section 14835 allows a five (5) percent preference for bidders who are certified with the State of California as a small business, micro-business, or a non-small business that commit to subcontract at least 25 percent of the bid rate with a State of California certified small business. Preference programs for businesses located in certain geographical areas are also available. For more information about these programs, consult the following web sites:
 - a. Office of Small Business and DVBE Certification (OSDC), www.pd.dgs.ca.gov/smbus
 - b. Target Area Contract Preference Act (TACPA), www.pd.dgs.ca.gov/edip/tacpa.htm
 - c. Local Agency Military Base Recovery Area (LAMBRA), www.pd.dgs.ca.gov/edip/lambra.htm
 - d. Enterprise Zone Act (EZA), www.pd.dgs.ca.gov/edip/eza.htm

2. The following is an example of the application of a preference:

In this example, bidders must submit a bid for a one-time flat rate.

Bidder A bids \$30,000.00; does not claim a preference.

Bidder B bids \$31,000.00; is a certified small business.

The low bid of \$30,000.00 is multiplied by 5 percent; $\$30,000.00 \times .05 = \$1,500.00$.

For bid evaluation purposes only, \$1,500.00 is subtracted from Bidder B's (certified small business) bid: $\$31,000.00 - \$1,500.00 = \$29,500.00$

Bidder B is the low bidder and for evaluation purposes only is awarded the maximum costs points as allowed per Section VI, Paragraph B[^]. All other proposals are evaluated on the adjusted lowest cost and are awarded points proportionately.

The maximum preference allowed individually (TACPA, EZA or LAMBRA) may not exceed \$50,000.00 for any bid. In combination with any other preferences (TACPA, EZA, LAMBRA, SB, non-SB subcontracting participation, recycled, etc), the maximum limit of the combined preferences is 15% of the bid amount and, in no case, more than \$100,000.00 per solicitation.

- R. The State has established goals for DVBE participation in State contracts. Please review Attachment 9. Proposers must complete and return all of the appropriate pages in order to be considered responsive. NOTE: Step 3, Advertisement, has been waived for this solicitation.

S. Miscellaneous

A proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline as indicated in Section I, Paragraph C, Tentative Schedule. Proposal modifications offered in any other manner, oral or written, will not be considered.

A proposer may withdraw its proposal by submitting a written withdrawal request to the State, signed by the proposer or an authorized agent in accordance with the paragraph above. A proposer may thereafter submit a new proposal prior to the proposal submission deadline. Proposals may not be withdrawn without cause subsequent to proposal submission deadline.

The agency may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package. Before submitting a response to this solicitation, bidders should review, correct all errors and confirm compliance with the RFP requirements.

The State does not accept alternate contract language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC) are not negotiable.

SECTION IV: SCOPE OF WORK

To prove capability for providing secretariat and work group staffing, the Proposer must describe qualifications, methodologies to be used, including procedures, records maintenance, accuracy checks, quality controls, examples of past projects, competency, ability to meet deadlines and managerial experience.

If any portion of the Scope of Work is proposed to be subcontracted, the Proposer must document which portions of the work will be performed by subcontractors and their ability to perform the work. However, all subcontractors must be approved by the Agency. The Proposer must make it clear to any subcontractors included in the proposal that even if the Proposer is selected, the subcontractors may not necessarily be selected.

A. Eligibility and Qualifications

Eligible proposers include government entities, other organizations (public or private), private firms, or individuals. Proposers may propose one or more of the specific support functions. One or more organizations / individuals may joint venture for the purposes of submission of one or more proposals.

Proposers must describe their pertinent qualifications and relevant experience for carrying out the specified responsibilities, services and deliverables. Proposers should articulate why their qualifications and experience will enable the Partnership to succeed in implementing the Strategic Action Proposal.

Proposers must provide a summary of their key strengths and qualifications to perform Secretariat and/or Work Group staffing including any relevant experience for carrying out the specified responsibilities, services and deliverables. Proposer may provide any additional information that would be of value to the Partnership Board in the selection process.

B. Responsibilities, Services and Deliverables

Proposers may submit proposals for either or both the Secretariat services or staffing of one or more Work Groups (or successor committees) related to the ten focus topics in the Strategic Action Proposal: Economic Development; Higher Education and Workforce Development; K-12 Education; Transportation; Land Use, Agriculture and Housing; Air Quality; Water; Energy; Health and Human Services; and Advanced Communications Services and Information Technology. The Secretariat management also will oversee or directly provide services related to community outreach, communications, annual progress reports, and annual regional conferences, although the secretariat may joint-venture with other organizations or propose to subcontract for these services. The services will begin no later than January 1, 2007 or upon execution of the agreement and end no later than June 30, 2009, depending on the enactment of legislation to establish the Partnership in statute. Thus, the proposers must be prepared to provide proposed services through June 30, 2009 with no additional state funding. The contractor(s) with the approval of the Partnership Board may seek additional supplemental funding from other governmental entities, charitable foundations, and private-sector sponsors.

Proposers must clearly specify the scope of the proposal and describe how each responsibility, service and deliverable will be accomplished, including details regarding timetable for activities along with appropriate unit and total cost. Examples of unit costs include such details as: monthly salaries and benefits for employed personnel and percentage of dedicated time; hourly costs for contracted personnel and amount of monthly and/or total hours of service; costs per event for facilities, materials, food and other costs; and costs per communications publication, including number of copies and extent of distribution. The burden is on the proposer to provide sufficient detail for the Partnership to be able to evaluate the cost-effectiveness of the proposals and to determine the value to the public. As appropriate, proposals should specify expected outcome and metrics for success associated with each responsibility, service or deliverable.

SECTION IV: SCOPE OF WORK (Continued)

Secretariat Function

The Secretariat contractor shall carry out responsibilities, provide services and complete deliverables as follows:

- Plan, organize and manage all Partnership Board meetings, activities and events.
- Prepare and distribute (by mail and electronically) agendas and associated information packets, including minutes of previous meetings and all supporting documents for deliberations, for quarterly meetings of the Partnership Board in a manner to comply with the applicable open meetings laws.
- Make arrangements and pay for (as needed) facilities, audio-visual support, food as needed, and other support as needed for all meetings of the Partnership Board and events sponsored by the Partnership.
- Maintain a website for the Partnership and regularly post information in a timely manner; ensure a link to the BTH website as directed by BTH.
- Plan, organize and provide outreach services to key stakeholders and constituent communities, including culturally-diverse populations, to inform and involve them in activities of the Partnership, such as: community forums or workshops; participation in established community events or festivals; or recruiting and training a speakers bureau.
- Plan, organize and provide communications services, such as: preparation and distribution of media releases and events; preparation and distribution of printed information to stakeholders and the public; organizing coverage and/or programs for broadcast; and arranging for translation of selected materials or summaries of key materials into Spanish and other languages as deemed appropriate by the Partnership Board on a limited basis.
- Plan, organize and prepare (or oversee preparation of), and distribute to the Governor, Legislature, Congressional Delegation, stakeholders, the public, and the media two Annual Progress Reports through December 2007 and December 2008 (covering implementation of the Strategic Action Proposal and operations of the Partnership as per the attached outline). This function may include recruitment of credible technical and expert resources to advise and assist with compilation of data for reporting of selected indicators in the Strategic Action Proposal. It also should include a plan to track change of status for selected communities and/or populations to determine whether or not native and long-time residents of the San Joaquin Valley benefit from the Partnership activities.
- Plan, organize and convene at least two Annual Regional Conferences for all Partnership participants, stakeholders and the public to review the Annual Progress Report, obtain feedback on implementation of the Strategic Action Proposal and input for future work plan, and to mobilization volunteers.
- Oversee and coordinate Work Groups (or successor committees) staffing (see below).
- Gather and coordinate information for BTH as required for contract administration.
- Prepare and submit to BTH official reports and communications for Governor, Legislature, other State agencies, and Congressional Delegation.

The proposer shall identify specific dedicated personnel to provide the Secretariat services, including the engagement or assignment of a principal lead executive to be approved by the Partnership Board.

Staffing for Work Groups

Proposers may submit proposals for staffing of one or more Work Groups (or successor committees) related to the ten focus topics in the Strategic Action Proposal, but proposers must clearly identify which Work Group(s) the proposal addresses. Generally, the Work Groups will oversee, guide, recruit implementing partners as necessary, and monitor progress in carrying out the actions (related to the specific program focus) delineated in the Strategic Action Proposal.

The Work Group staff contractor(s) shall carry out responsibilities, provide services and complete deliverables as follows:

- Plan, organize and manage all Work Group meetings, activities and events.

SECTION IV: SCOPE OF WORK (Continued)

- Prepare and distribute (by mail and electronically) agendas and associated information packets, including minutes of previous meetings and all supporting documents for meetings of the Work Groups in a manner to comply with the applicable open meetings laws.
- Make arrangements and pay for (as needed) facilities, audio-visual support, food as needed, and other support as needed for all meetings of the Work Group(s).
- Prepare quarterly update reports and submit to the Secretariat for the Partnership Board.
- Evaluate the effectiveness of implementation activities, including related seed grants, and prepare Work Group(s) Annual Progress Report(s) for submission to the Secretariat.
- Provide information regarding the Work Group(s) to the secretariat for posting on the Partnership website.

SECTION V: MINIMUM QUALIFICATIONS

These instructions prescribe the proposal content and format to be used and mandatory content to be included in each proposal. **PROPOSALS SHOULD BE PREPARED AND SUBMITTED IN THE FOLLOWING FORMAT TO ENSURE ACCURATE EVALUATION.**

The following list serves as the checklist to verify the inclusion of minimum qualifications. If any single item receives a negative response, the proposal may be eliminated from further review and considered non-responsive. **FAILURE TO DEMONSTRATE OR EVIDENCE FULFILLMENT OF ALL MINIMUM QUALIFICATIONS MAY RESULT IN DISQUALIFICATION.**

FOR AGENCY USE ONLY		
Proposer: _____	Reviewer: _____	Date: ____/____/06

	Meets Requirements	
	YES	NO

A. Proposal Package

The sealed proposal package(s) contains fifteen (15) typed copies of the proposal (one original and fourteen copies).

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

B. Proposal Format and Content

Respond and include each item listed, giving specific details of techniques to be used in meeting these requirements. Use of the following format/organization is strongly urged to ensure proper completion of the proposal.

- | | | |
|--|--------------------------|--------------------------|
| 1. Table of Contents with information organized as presented here and with corresponding page references. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. ATTACHMENT 3, COVER SHEET is completed and signed. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. <u>Description of Organization:</u> Proposer must describe the firm, its ownership structure, nature of the organization's services and activities, when the business was established and brief history. List the location(s) of the office(s) from which the primary work on this contract would be performed. Proposer must give evidence that it has a California office and will provide service through this location. | <input type="checkbox"/> | <input type="checkbox"/> |

SECTION V: MINIMUM QUALIFICATIONS (Continued)

Meets Requirements	
YES	NO

Proposal Format and Content (continued)

4. Advisory Team

- | | | |
|---|--------------------------|--------------------------|
| a. <u>Contract Manager:</u> Identify one (1) individual on the Proposer's staff who will be the primary contact and manage the contract work. Document overall experience in management or project leadership, with a minimum of five (5) years of service. | <input type="checkbox"/> | <input type="checkbox"/> |
| b. <u>Team:</u> The Proposer must identify the team and key personnel who will actually be involved in providing the services to the Partnership. "Key Personnel" are defined as those people who will exercise a major management and/or administrative role on behalf of the Proposer. Identify the role each team member will serve, title, where the individual is headquartered and the percentage of the firms totals effort that will be provided by the individual. Do not exceed two pages per person. | <input type="checkbox"/> | <input type="checkbox"/> |
| c. <u>Resumes:</u> Provide resumes for each individual. Provide education, experience and expertise with pertinent information demonstrating qualifications for this RFP. | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | |
|--|--------------------------|--------------------------|
| 5. <u>Scope of Work:</u> The proposal contains a Scope of Work that includes Qualifications and a Work Plan, as described in Section V, Scope of Work. | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|

- | | | |
|---|--------------------------|--------------------------|
| 6. <u>Subcontractors:</u> Identify all proposed subcontractor(s) for work that exceeds \$5,000. Document which portions of service will be performed by subcontractors and their ability to perform the work. Include resumes of subcontractor's key personnel. Do not exceed two (2) pages per person. | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|

The use of subcontractor(s) are subject to approval by the Partnership. Therefore, not all work recommended by the Proposer will necessarily be approved and not all subcontractors listed in the proposal will necessarily be selected. The Proposer must make it clear to any subcontractors included in the proposal that even if the Proposer is selected, the subcontractors may not necessarily be selected.

7. Attachments

- | | | |
|---|--------------------------|--------------------------|
| a. Documentation of Incorporation if applicable. Proposer must provide evidence that its corporation is active and in good standing in the State of California. | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Proposal contains a signed Non-collusion Statement, Attachment 6. | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Proposal contains a Target Area Contract Preference Act Request (Std. 830), completed only if claimed. | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Proposal contains an Enterprise Zone Act Preference Request, (Std. 831), completed only if claimed. | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Proposal contains a Local Agency Military Base Recovery Act (Std. 832), completed only if claimed. | <input type="checkbox"/> | <input type="checkbox"/> |

SECTION V: MINIMUM QUALIFICATIONS (Continued)

		Meets Requirements	
		YES	NO
8.	If the Proposer has passed all of the above, the Agency will confirm the following:		
a.	Proposer has not been decertified from contracting with the Agency by the Department of Fair Employment and Housing.	_____	_____
b.	Proposer has not had a contract with the State of California canceled due to failure to comply with the Drug-Free Workplace Act of 1990.	_____	_____
c.	Proposer has not received a significant negative contractor evaluation from DGS.	_____	_____

Comments

SECTION VI: SELECTION PROCESS AND EVALUATION CRITERIA

Each proposal shall be evaluated to determine responsiveness to the Partnership's needs as described in this RFP. The Partnership reserves the right at any time to reject any or all proposals, award no contracts, and to award the most appropriate contracts for secretariat and work group staffing services. The selection process complies with the requirements for competitive bidding pursuant to Public Contract Code Section 10344.

A. Process

1. Minimum Qualifications: After the period has closed for receipt of proposals, each proposal will first be evaluated to determine compliance with Section V, Minimum Qualifications. Those proposals that pass the minimum qualifications review will then proceed to the Proposal Evaluation phase. If a proposal does not meet all requirements, it may be considered non-responsive and be rejected from further competition.
2. Proposal Evaluation: Proposals will be evaluated and scored according to specific and predetermined criteria as outlined in Paragraph B of this Section.
3. Oral Interviews (If determined to be necessary): Evaluation of oral interviews will be according to specific and predetermined criteria as outlined in Paragraph C of this Section.
4. Notice of Intent to Award: A Notice of Intent to Award the contract will be posted for five (5) working days at the Agency. The Notice of Intent to Award will also be faxed to all Proposers on the day it is posted. Should a Proposer wish to protest the intended award, it must be raised during this five (5)-day protest period (see Section III, Rules and Conditions, Paragraphs J and K).

SECTION VI: SELECTION PROCESS AND EVALUATION CRITERIA (Continued)

B. Proposal Evaluation Criteria

Proposals will be reviewed, evaluated and scored by a committee composed of the Chair, Deputy chairs, and eight additional members (representing a cross-section of the Partnership Board) or their designees. Evaluation of proposals will be based on the criteria shown as follows for each component; each component will be scored according to the degree of responsiveness present in the proposal being evaluated. A component score will not exceed the possible points shown for that component.

FOR AGENCY USE ONLY

Proposer: _____
Evaluated By: _____
Date: _____

Maximum Points / Score

1. Proposer demonstrated ability and capacity to effectively provide professional Secretariat and/or Work Group staffing services. (Section IV, Scope of Work, Paragraph A)	15	_____
2. Proposer demonstrated extensive experience in providing support, services and deliverables as well as project management to a program of similar size and scope. (Section IV, Scope of Work, Paragraph A)	15	_____
3. Proposer's thoroughness, development, and specificity in support of the Strategic Action Proposal as presented in the proposal. (Section IV, Scope of Work, Paragraph B)	15	_____
4. Proposer demonstrates they have actively participated in the Work Groups and Public Forums held to date in support of preparing of the Strategic Action Plan.	15	_____
5. Proposer's methodology, procedures, and cost effectiveness in specifying expected outcomes and metrics for success. (Section IV, Scope of Work, Paragraph B)	10	_____
6. Cost of the proposal as indicated in the Budget Form. (Attachment 4)	Up to 30	_____
TOTAL PROPOSAL EVALUATION POINTS	100	_____

Sample for Cost Points:

Lowest cost proposal is awarded the maximum cost points. Other proposals are awarded cost points based on the following calculation: $\text{Lowest Proposer's Cost} / \text{Other Proposer's Cost} \times (\text{factor}) \times \text{maximum cost points} = \text{cost points for other proposer}$.

EXAMPLE: Lowest cost proposal = \$ 75,000; Other proposal = \$100,000; 30 cost points available

$\$75,000 / \$100,000 = 3/4 \times 30 = 22.5$ cost points awarded to \$100,000 proposal

Lowest cost proposal (\$75,000) gets 30 points. Other cost proposal (\$100,000) gets 22.5 points.

SECTION VI: SELECTION PROCESS AND EVALUATION CRITERIA (Continued)

C. Oral Interview Evaluation Criteria (If determined to be necessary)

The evaluation committee may conduct oral interviews with all Proposers whose proposals have passed the minimum requirements and have scored eighty (80) points or higher based on Section VI, Paragraph B. The oral interviews may also be open to subcontractors, if requested by the evaluation committee. It is recommended that the team actually conducting the work attend the oral interview. The Proposer's contract manager shall give the presentation. All oral interviews are expected to be held in Sacramento, but the evaluation committee reserves the right to conduct interviews at other designated sites or by a conference telephone call. The evaluation committee reserves the right to designate one or more members of the committee to conduct and score the oral interviews. If a Proposer cannot meet on the designated interview date, the evaluation committee reserves the right to disqualify the Proposer as being non-responsive.

The oral interview will allow qualified Proposers the opportunity to demonstrate their understanding of the project, and to articulate their ability to meet or exceed the requirements of this RFP. No additional materials other than those offered in the original proposal may be brought forward for consideration during the interview. The following criteria will be used for scoring the oral interview.

FOR AGENCY USE ONLY	Proposer: _____
	Evaluated By: _____
	Date: _____

Maximum Points / Score

- | | | | |
|----|--|----|-----|
| 1. | Quality and completeness of answers to questions regarding the ability to provide Secretariat and Work group Services. Professionalism of team assigned to the project | 10 | ___ |
| 2. | Proposer's responses demonstrate their ability to integrate its ideas into fulfilling the goals of the Strategic Action Proposal. | 10 | ___ |
| 3. | Quality of proposed strategies and work samples. | 10 | ___ |

TOTAL ORAL INTERVIEW POINTS **30** **___**

TOTAL PROPOSAL POINTS **130** **___**

SECTION VIII: ATTACHMENTS

ATTACHMENT NUMBER	DESCRIPTION
1.	Required Attachment Check List
2.	Notice of Intent to Bid
3.	Cover Sheet
4.	Budget Form
5.	Small Business/Disabled Veteran-Owned Business Enterprise (DVBE) Certification Form
6.	Non-collusion Statement
7.	Contractor Certification Clauses
8.	Payee Date Record
9.	Disabled Veteran Business Enterprise (DVBE) Participation

Attachment 1

REQUIRED ATTACHMENT CHECK LIST

A complete proposal or proposal package will consist of the items identified below. Complete this checklist to confirm the items in your proposal. Place a check mark or "X" next to each item that you are submitting to the State. For your proposal to be responsive, all required attachments must be returned. This checklist should be returned with your proposal package also.

<u>Attachment</u>	<u>Attachment Name/Description</u>
_____ Attachment 1	Required Attachment Check List
_____ Attachment 2	Notice of Intent to Bid
_____ Attachment 3	Cover Sheet
_____ Attachment 4	Budget Form
_____ Attachment 5	Small Business/Disabled Veteran-Owned Business Enterprise (DVBE) Certification Form
_____ Attachment 6	Non-Collusion Statement
_____ Attachment 7	Contractor Certification Clauses (CCC). The CCC can be found on the Internet at www.ols.dgs.ca.gov/Standard+Language .
_____ Attachment 8	Payee Data Record (STD 204) (if currently not on file)
_____ Attachment 9	Disabled Veteran Business Enterprise (DVBE) Participation Requirement

ATTACHMENT 2

NOTICE OF INTENT TO BID

Must be received by the Agency at the address shown below as indicated in Section I, Paragraph C, Tentative Schedule.

MAIL or FAX to:

California Partnership for the San Joaquin Valley
RFP for Secretariat and Work group Services 2006
Attn: Karin Fish
California Business, Transportation and Housing Agency
980 Ninth Street, Suite 2450
Sacramento, CA 95814

Fax: 916-324-7524

Name of Proposer/Bidder/Company:
Contact Person:
Mailing Address:
Voice Telephone Number:
Fax Telephone Number*:
Signed:

A Notice of Intent to Bid must be sent by the Proposer and received by the addressee above in order for the proposal to be accepted for consideration. However, submittal of a Notice of Intent to Bid does not obligate the Proposer to submit a proposal.

* A receipt confirmation of the "Notice of Intent to Bid" will be faxed to the telephone number entered here.

ATTACHMENT 3

COVER SHEET

The submission of this Proposal does not obligate the Agency to fund the proposed contract. If the Proposer is selected as the Awardee, a contract will be executed between the Agency and the Awardee. The Awardee will be required to adhere to the terms of the executed contract. Entries may be printed or typed.

(a) Full Legal Name of Proposer's Organization: _____

(b) Address of Headquarters: _____

Street	City/County	Zip Code
Telephone Number to Headquarters: _____		
Voice	Fax	

Address of California office: _____

Street	City/County	Zip Code
Telephone Number to California office: _____		
Voice	Fax	

(c) Federal Taxpayer Identification Number: _____

(d) Status of Organization submitting a Proposal (check applicable one):

(1) ☐ Nonprofit Corporation

Place and date of incorporation: _____

Date Corporation was authorized to do business in California: _____

President: _____

Vice President: _____

Secretary: _____

Treasurer: _____

Other Officers (Executive Officer): _____

(2) ☐ Local Government or Public Organization

Name and Title of: _____

Mayor, Chair of Board of Supervisors, School District, Community College District, Chair of Board of Governor or City Manager, County Executive, Superintendent of Schools or President, Community College

(3) ☐ For-Profit Business or Individual

Name of For-Profit Business or Individual: _____

(e) Certification: I hereby certify that the information contained in this Proposal is, to the best of my knowledge, complete and accurate; that the Proposer named above has authorized me, as its representative, to submit this Proposal; and that the Proposal and cost information is valid for ninety (90) days from the date of submission.

Signature: _____ Date: _____

Printed Name of Representative (above) and Title: _____

ATTACHMENT 4

BUDGET FORM

A. BUDGET BREAKDOWN

Budget Line Items	Monthly Rate	No. of Months	Total (All figures represent U.S. dollars)
1. Personnel			
_____	\$ _____	___ months	\$ _____
_____	\$ _____	___ months	\$ _____
_____	\$ _____	___ months	\$ _____
Total Personnel Costs	\$ _____		\$ _____
2. Travel			
In-State	\$ _____	___ months	\$ _____
Out-of-State	\$ _____	___ months	\$ _____
Total Travel	\$ _____		\$ _____
3. Operating Expenses			
Expenses and Equipment	\$ _____	___ months	\$ _____
Total Operating Expenses	\$ _____		\$ _____
4. Other Expenses			
Community Outreach	\$ _____	___ months	\$ _____
Communications	\$ _____	___ months	\$ _____
Annual Accountability Progress Reports	\$ _____	___ months	\$ _____
Regional Conferences	\$ _____	___ months	\$ _____
Total Other Expenses	\$ _____		\$ _____
<u>TOTAL COST</u>	\$ _____		\$ _____

B. BASIS FOR EXPENSES

Rates must be broken out. Out-of-pocket expenditures or reimbursable costs must be shown for each budget item.

The Proposer should demonstrate that the above prices are appropriate and realistic.

ATTACHMENT 5

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
SMALL BUSINESS/DISABLED VETERAN-OWNED BUSINESS ENTERPRISE (DVBE) CERTIFICATION
FORM

SMALL BUSINESS AND MICROBUSINESS CERTIFICATION - California Government Code Section 14835 allows a five (5) percent preference for bidders who are certified with the State of California as a small business, micro-business, or a non-small business that commit to subcontract at least 25 percent of the bid rate with a State of California certified small business. In order to be eligible for the five percent preference, your firm must be certified by the California Department of General Services, Office of Small and DVBE Certification (OSDC), and a copy of the OSDC certification letter must accompany your bid package. If your firm is eligible for certification based on the criteria outlined in Section 14835 of the California Government Code and you are not yet certified by OSDC, your application for certification must be received and on file with OSDC by 5:00 p.m. on the date identified as the bid opening in order to qualify for the five percent preference. This will ensure the OSDC certification process is expedited on your behalf to ensure your firm is certified prior to the agreement award.

Additional information on the State of California, Small Business and/or DVBE Certification Programs, may be obtained by contacting the Department of General Services, Office of Small Business/DVBE Certification at (916) 375-4940; facsimile at (916) 375-4950; or Internet at: www.pd.dgs.ca.gov/smbus.

CERTIFICATION OF BUSINESS:

- _____ Small Business (A copy of OSDC certification letter must accompany bid.)
- _____ Micro-Business (A copy of OSDC certification letter must accompany bid.)
- _____ Disabled Veteran-Owned Business Enterprise (A copy of OSDC certification letter must accompany bid.)
- _____ Small Business (Certification application on file at OSDC.)
- _____ Large Business

The undersigned declares under penalty of perjury that the information is true and correct.

Signature

Name of Company

Printed Name & Title

Telephone Number

ATTACHMENT 6

NON-COLLUSION STATEMENT

I, _____,

representing, _____,

do hereby certify that neither myself nor any other person representing the above named firm has made any attempt, verbally or otherwise, to induce any person or firm to not submit a proposal for the purpose of restricting competition which may result in a contract award by the California Business, Transportation and Housing Agency.

Signature of Authorized Representative on behalf of the Proposer

Printed Name and Title

Printed Name of Proposer/Firm/Organization

Date

Attachment 7

CCC-1005

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

<i>Contractor/Bidder Firm Name (Printed)</i>		<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		
<i>Date Executed</i>	<i>Executed in the County of</i>	

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
- b. Establish a Drug-Free Awareness Program to inform employees about:
 - 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;
 - 3) any available counseling, rehabilitation and employee assistance programs; and,
 - 4) penalties that may be imposed upon employees for drug abuse violations.
- c. Every employee who works on the proposed Agreement will:
 - 1) receive a copy of the company's drug-free workplace policy statement; and,
 - 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

Attachment 7 (Continued)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts executed or amended after July 1, 2004, the contractor may elect to offer domestic partner benefits to the contractor's employees in accordance with Public Contract Code section 10295.3. However, the contractor cannot require an employee to cover the costs of providing any benefits which have otherwise been provided to all employees regardless of marital or domestic partner status.

Attachment 7 (Continued)

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

Attachment 7 (Continued)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

Attachment 8


STATE OF CALIFORNIA

PAYEE DATA RECORD**(Required in lieu of IRS W-9 when doing business with the State of California)**

STD. 204 (REV. 2/99) (AUTOMATED)

NOTE: Governmental entities, federal, state, and local (including school districts) are not required to submit this form.

SECTION 1 must be completed by the requesting state agency before forwarding to the payee

1 PLEASE RETURN TO:	DEPARTMENT/OFFICE Department of California Highway Patrol	PURPOSE: Information contained in this form will be used by state agencies to prepare information Returns (Form 1099) and for withholding on payments to nonresident payee's. Prompt return of this fully completed form will prevent delays when processing payments. (See Privacy Statement on reverse)	
	STREET ADDRESS P O Box 942898		
	CITY, STATE, ZIP CODE Sacramento CA 94298-0001		
	TELEPHONE NUMBER		
2	PAYEE'S BUSINESS NAME SOLE PROPRIETOR --ENTER OWNER'S FULL NAME HERE (Last, First, M.I.) MAILING ADDRESS (Number and Street or P. O. Box Number) City, State and Zip Code)		
3 PAYEE ENTITY TYPE	CHECK ONE BOX ONLY <input type="checkbox"/> MEDICAL CORPORATION (Including dentistry, podiatry, psychotherapy, optometry, chiropractic, etc.) <input type="checkbox"/> EXEMPT CORPORATION (Nonprofit) <input type="checkbox"/> ALL OTHER CORPORATIONS <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> ESTATE OR TRUST <input type="checkbox"/> INDIVIDUAL/SOLE PROPRIETOR		NOTE: State and local governmental entities, including school districts are not required to submit this form.
4 VENDOR'S TAXPAYER I.D. NUMBER	SOCIAL SECURITY NUMBER REQUIRED FOR INDIVIDUAL/SOLE PROPRIETOR BY AUTHORITY OF THE REVENUE AND TAXATION CODE SECTION 18646 (See reverse) FEDERAL EMPLOYER'S IDENTIFICATION NUMBER (FEIN) SOCIAL SECURITY NUMBER IF PAYEE ENTITY TYPE IS A CORPORATION, PARTNERSHIP, ESTATE OR TRUST, ENTER FEIN. IF PAYEE ENTITY TYPE IS INDIVIDUAL/SOLE PROPRIETOR, ENTER SSAN.		NOTE: Payment will not be processed without an accompanying taxpayer I.D. number.
5 PAYEE RESIDENCY STATUS	CHECK APPROPRIATE BOX(ES) <input type="checkbox"/> California Resident - Qualified to do business in CA or a permanent place of business in CA <input type="checkbox"/> Nonresident (See Reverse) Payments for services by nonresidents may be subject to state withholding <input type="checkbox"/> WAIVER OF STATE WITHHOLDING FROM FRANCHISE TAX BOARD ATTACHED <input type="checkbox"/> SERVICES PERFORMED OUTSIDE OF CALIFORNIA		NOTE: a. An estate is a resident if decedent was a California resident at time of death. b. A trust is a resident if at least one trustee is a California resident. (See reverse)
6 CERTIFYING SIGNATURE	I hereby certify under penalty of perjury that the information provided on this document is true and correct. If my residency status should change, I will promptly inform you. AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print) TITLE SIGNATURE DATE TELEPHONE NUMBER 		

STATE OF CALIFORNIA
PAYEE DATA RECORD
STD. 204 (REV. 2/99) (REVERSE) (AUTOMATED)

ARE YOU A RESIDENT OR A NONRESIDENT?

Each corporation, individual/sole proprietor, partnership, estate or trust doing business with the State of California must indicate their residency status along with their taxpayer identification number.

A **corporation** will be considered a "resident" if it has a permanent place of business in California. The corporation has a permanent place of business in California if it is organized and existing under the laws of this state or, if a foreign corporation has qualified to transact intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in this state only if it maintains a permanent office in this state that is permanently staffed by its employees.

For **individuals/sole proprietors**, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose which will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.

For withholding purposes, a **partnership** is considered a resident partnership if it has a permanent place of business in California. An estate is considered a California estate if the decedent was a California resident at the time of death and a trust is considered a California trust if at least one trustee is a California resident.

More information on residency status can be obtained by calling the Franchise Tax Board at the numbers listed below:

From within the United States, call.....1-800-852-5711
From outside the United States, call.....1-916-854-6500
For hearing impaired with TDD, call....1-800-822-6268

ARE YOU SUBJECT TO NONRESIDENT WITHHOLDING?

Payments made to nonresident payee's, including corporations, individuals, partnerships, estates and trusts, are subject to withholding. Nonresident payee's performing services in California or receiving rent, lease or royalty payments from property (real or personal) located in California will have 7% of their total payments withheld for state income taxes. However, no withholding is required if total payments to the payee are \$1500 or less for the calendar year.

A nonresident payee may request that income taxes be withheld at a lower rate or waived by sending a completed form FTB 588 to the address below. A waiver will generally be granted when a payee has a history of filing California returns and making timely estimated payments. If the payee activity is carried on outside of California or partially outside of California, a waiver or reduced withholding rate may be granted. For more information, contact:

Franchise Tax Board
Nonresident Withholding Section
Attention: State Agency Withholding Coordinator
P.O. Box 651 Sacramento, CA 95812-0651
Telephone: (916) 845-4900
FAX: (916) 845-4831

If a reduced rate of withholding or waiver has been authorized by the Franchise Tax Board, attach a copy to this form.

PRIVACY STATEMENT

Section 7(b) of the Privacy Act of 1974 (Public Law 93-5791) requires that any federal, state, or local governmental agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it.

The State of California requires that all parties entering into business transactions that may lead to payment(s) from the State must provide their Taxpayer Identification Number (TIN) as required by the State Revenue and Taxation Code, Section 18646 to facilitate tax compliance enforcement activities and to facilitate the preparation of Form 1099 and other information returns as required by the Internal Revenue Code, Section 6109(a). The TIN for individual and sole proprietorships is the Social Security Number (SSN).

It is mandatory to furnish the information requested. Federal law requires that payments for which the requested information is not provided be subject to a 31% withholding and state law imposes noncompliance penalties of up to \$20,000.

You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the state agency(ies) with which you transact that business.

Please call the Department of Finance, Fiscal Systems and Consulting Unit at (916) 324-0385 if you have any questions regarding this Privacy Statement. Questions related to residency or withholding should be referred to the telephone numbers listed above. All other questions should be referred to the requesting agency listed in Section 1.

